



**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**

**Industrial Hygiene Assessment  
of an Occupied Property  
Resulting in the Discovery of an  
Illegal Drug Laboratory  
At  
6565 Monaco Drive  
Brighton CO 80602**

**Prepared for:**

Sarah Khoury  
Director of Property Management  
American Home 4 Rent  
4646 E. Van Buren St. Suite 185  
Phoenix, AZ 85008

Prepared by:

**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.**  
185 Bounty Hunter's Lane  
Bailey, CO 80421



November 14, 2013

## EXECUTIVE SUMMARY

- At the request of American Home 4 Rent,<sup>1</sup> state of the art sampling was performed by personnel with Forensic Applications Consulting Technologies, Inc. (FACTs) at 6565 Monaco Dr. Brighton CO 80602 (the subject property) for the determination of the presence of methamphetamine.
- On Thursday, November 7, 2013, FACTs, performed a standard screening site assessment and collected samples from ten locations throughout the property, and composited the samples into one analysis for quantitative analysis of methamphetamine.
- The sample results indicate the presence of profoundly elevated concentrations of methamphetamine in excess of the regulatory and statutory levels permitted in Colorado.
- Had the sampling been performed as part of a State mandated clearance test of an illegal drug laboratory, the results would have indicated methamphetamine concentrations in excess of approximately 210 times over the regulatory limit for a five-parted composite.
- Based on the results of the samples, an illegal drug laboratory, as defined in Colorado Revised Statutes §25-18.5-101(8) exists at the subject property.
- This letter and documentation serve as “Discovery” and “Notice” of an illegal drug laboratory, as those terms are found in Colorado Revised Statutes §25-18.5-103(1)(a) and Regulation 6CCR 1014-3 (3).
- Pursuant to Colorado Revised Statutes§25-18.5-104(1), from this point forward, it is unlawful for any person to occupy the residence.
- Pursuant to Colorado Revised Statutes§25-18.5-104(1)(a), from this point forward, entry into the property is restricted by regulation.
- Pursuant to CRS §25-18.5-104, restriction on entry extends to Real Estate agents, property owner(s), maintenance personnel, potential buyers, home inspectors, and any and all other personnel, except law enforcement personnel and personnel meeting the requirements of Title 29 of the Code of Federal Regulations, Part 1910.120(e).
- Pursuant to CRS §25-18.5-103(1)(c), no person shall remove any personal belongings or personal property from the property unless that person secures the

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<sup>1</sup> American Home 4 Rent, 4646 E. Van Buren St. Suite 185, Phoenix, AZ 85008



property in a manner that prevents theft and prevents exposing any other person to any toxic or hazardous chemicals until the property and debris is appropriately discarded or cleaned according to board rules (the State regulations).

- Pursuant to CRS §25-18.5-103 (1)(a), the Registered Owner<sup>2</sup> of the property exclusively has two options: 1) commission a Preliminary Assessment as described in 6 CCR1014-3 (4.0 *et seq*), or 2) demolish the property. No timeframe is currently assigned by the City of Brighton or Adams County for the completion of the Preliminary Assessment or demolition.
- Several unauthorized consultants (including untrained Certified Industrial Hygienists), have been performing unlawful consultation in illegal drugs labs in Colorado. Use of these consultants has resulted in serious litigation problems and will result in a fatal flaw in the work. This, or any other fatal flaw in compliance with the State Regulations, will prevent the registered owner from receiving the liability immunity provided by CRS §25-18.5-103(2)(a)(ii).
- According to Regulation 6 CCR 1014-3, any cleaning and/or remediation and/or decontamination is strictly prohibited, except pursuant to a *legitimate* Preliminary Assessment.

## INTRODUCTION

On Thursday, November 7, 2013, FACTs visited the residence located at 6565 Monaco Driver, Brighton, CO, for the purpose of performing a screening assessment for methamphetamine contamination. The field work was performed by Mr. Glenn Hardey and Ms. Christine Carty under the immediate and direct supervision of Mr. Caoimhín P. Connell, Industrial Hygienist.

Mr. Hardey has extensive training in illegal drug laboratories and received a training certificate in Clandestine Drug Laboratory Assessments through the Colorado Regional Community Policing Institute (CRCPI), Colorado Division of Criminal Justice, (sponsored by the US Dept. of Justice High Intensity Drug Trafficking Area). Mr. Hardey is further certified in Clandestine Drug Lab entry and processing through the US Drug Enforcement Agency, and received site specific training pursuant to 29 CFR §1910.120. Mr. Hardey, is a former Police Sergeant and SWAT Team leader who has approximately 10 years experience in drug interdiction, was a co-instructor of the 2010 American Industrial Hygiene Association Clandestine Drug lab Professional Development Course for North America's top Industrial Hygienists. From the site, Mr. Hardey telephonically transmitted site photographs and discussed site conditions with Mr. Connell who then personally selected each sampling location.

During the site visit, FACTs performed a visual inspection and collected samples in a manner consistent with the sample collection techniques described in Colorado

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<sup>2</sup> American Homes 4 Rent Properties Three LLC, 30601 Agoura Rd Suite 200  
Agoura Hills CA 91301-2013



Regulation 6 CCR 1014-3, and the intent of Colorado Real Estate methamphetamine disclosure and testing statute as described by CRS §38-35.7-103(2)(a). Based on site conditions FACTs determined the property could be properly assessed with two standard five-part composite samples from the residence. We submitted the samples to Reservoirs Environmental Laboratories in Denver for quantitative analysis by gas chromatography mass spectroscopy.

## ***Findings***

Based on state of the art sampling and analysis techniques, FACTs conclusively determined the presence of overt, and widespread methamphetamine contamination in the residential unit. Based on current statutes and regulations, the property meets the definition of an “illegal drug laboratory” (meth-lab) as described below.

This letter confirms “Discovery” as that term is found in Colorado Regulation 6 CCR 1014-3(2) and Colorado Revised Statutes §25-18.5-103 (1)(a) “Notice” as that term is used in 6 CCR 1014-3(2).

## ***Background Information***

### **Structure**

The subject property built *circa* 1993, consisted of a multi-family dwelling approximating 2,919 square feet of interior occupiable floor space (including garage) with a forced-air heating system.

### ***Toxicological Aspects***

Many compounds have a human exposure resulting in a dose below which no adverse health effects are seen, and methamphetamine is one of those compounds. Body burden modeling has been performed<sup>3</sup> and sufficient toxicological data is now available to support the establishment of a “reference dose” (RfD). An RfD is an estimate of the maximum daily intake of a specific contaminant by members of the general population (including sensitive subgroups) that is likely to be without an appreciable risk of deleterious effects during a lifetime.

Toxicologically, contaminant intakes are expressed as a “dose” which is the “weight” of a contaminant taken into the body per unit body weight (mg/kg/day). For noncarcinogenic chemicals, as the dose decreases, so too decreases the risk of an observable adverse effect. With decreasing dose, one eventually reaches a dose, above which the most susceptible (sensitive) adverse effect is seen; this dose is known as the LOEL (lowest observable (adverse) effect level).

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<sup>3</sup> Salocks C, *Derivation of a Risk Based Remediation Standard for Methamphetamine*, Jan 8, 2008 power point presentation



As the dose decreases even further, another point is reached where there is no observable adverse effect; this dose is referred to as the NOEL (no observable (adverse) effect level). Reference doses may be expressed as ranges that reflect either the LOAL or the NOEL.

According to the publications by the California Environmental Protection Agency, the LOEL for methamphetamine is estimated to be 0.08 mg/kg/day, and, incorporating a specified uncertainty factor, the RfD is 0.3 mg/kg/day. The LOEL can be expected, when the residual methamphetamine concentrations within an occupied residence exceeds 1.5 µg/100 cm<sup>2</sup>.

For this property, the methamphetamine concentrations are 14 times greater than the toxicologically significant dose-concentration equivalent. That is, the concentrations of methamphetamine found at 6565 Monaco are considered toxicologically significant.

The effects of low level chronic exposures to methamphetamine are not well characterized. Methamphetamine may cause teratogenic effects and may change behavior in exposed infants.<sup>4</sup> The AIHA Guideline indicates that prenatal exposure to methamphetamine has been shown to cause an increase in pre-term labor, placental abruption, fetal distress, and postpartum hemorrhage. Similarly, the same AIHA reference indicates that infants exposed to methamphetamine are generally smaller, have feeding difficulties, and are described as “very slow.” The referenced AIHA guide states that infants born to mothers who have used methamphetamine during pregnancy may have abnormal sleep patterns, poor feeding, tremors, and hypertonia and subtle neurological abnormalities have also been reported.

## **PERTINENT REGULATORY STANDARDS**

The State of Colorado currently has one methamphetamine regulation and three methamphetamine statutes that are germane to the subject property.

### ***State Statutes***

#### **Environmental Statutes**

Colorado has one of the country’s most comprehensive and scientifically valid clandestine drug laboratory regulations. The Colorado regulations become applicable when the owner of a property has received notification from a cognizant authority that a property is or may be noncompliant or methamphetamine may be present, or there is a potential for contamination. The discovery upon which the notice is based may be from a peace officer “...or when a “drug laboratory” is otherwise discovered.”<sup>5</sup>

In turn, “illegal drug laboratory” is defined in Colorado Revised Statutes §25-18.5-101(8) as the areas where controlled substances, have been manufactured, processed, cooked, discarded, used, or stored and all proximate areas that are likely to be contaminated as a

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<sup>4</sup> AIHA Guideline 8 Clandestine Methamphetamine Laboratory Assessment and Remediation Guidance, 2007

<sup>5</sup> CRS §25-18.5-103



result of such manufacturing, processing, cooking, disposal, use, or storing. In this case, the presence of the methamphetamine is conclusive for concluding that, at a minimum, methamphetamine was used and possessed and is currently being stored as a waste material at the property.

Pursuant to State statute CRS §25-18.5-105(1), an illegal drug laboratory that has not met the cleanup standards set by the State Board of Health may be deemed a public health nuisance, and must either be demolished or remediated pursuant to a Preliminary Assessment.

### **Criminal Proceedings – Public Nuisance Statutes**

Pursuant to State statute CRS §16-13-303(c)(1), every building or part of a building including the ground upon which it is situated and all fixtures and contents thereof, and every vehicle, and any real property shall be deemed a class 1 public nuisance when used for the unlawful storage or possession of any controlled substance, or any other drug the possession of which is an offense under the laws of Colorado. Based on CRS §16-13-303(c)(1), the presence of extant methamphetamine in the property is *prima facie* evidence of possession of the same.

Pursuant to State statute §16-13-308(1)(a), if probable cause for the existence of a Class 1 Public Nuisance is shown to the court by means of a complaint supported by an affidavit, the court shall issue a temporary restraining order to abate and prevent the continuance or recurrence of the nuisance or to secure property subject to forfeiture. Such temporary restraining order shall direct the County Sheriff or a peace officer to seize and, where applicable, close the public nuisance and keep the same effectually closed against its use for any purpose until further order of the court.

An alternative declaration of Public Nuisance may be found in statute §16-13-307(4), wherein an action to abate a public nuisance may be brought by the district attorney, or the attorney general with the consent of the district attorney, in the name of the people of the State of Colorado or in the name of any officer, agency, county, or municipality whose duties or functions include or relate to the subject matter of the action.

In this case, jurisdiction for the abatement of the public nuisance lies with the office of the “Governing Body.” The property lies within Adams County and pursuant to CRS §25-18.5-101(7), the office of the “Governing Body” is:

Tricounty Health Department  
6162 South Willow Drive  
Suite 100  
Greenwood Village, CO 80111

FACTs will forward a copy of this report to the Governing Body on Monday, November 18, 2013. The Governing Body has the statutory authority to impose additional restrictions including, but not limited to: abate the public nuisance, close the public



nuisance, seize the property until the nuisance is abated and set a time frame on the completion of abatement.

### ***State Regulations***

Pursuant to Colorado regulations 6 CCR 1014-3,<sup>6</sup> following discovery and notification, a comprehensive and detailed “Preliminary Assessment” must be commissioned by the Registered Owner and performed by a legitimate, qualified (properly trained) Industrial Hygienist who must characterize extant contamination. The content and context of the “Preliminary Assessment” is explicitly delineated by regulation. Any remediation or cleaning of the property must be based on the Industrial Hygienist’s Preliminary Assessment, and cannot occur until such assessment has been conducted.

Since discovery and notification had not, to our knowledge, taken place at the time of our visit, FACTs was not performing a “Preliminary Assessment” as that term is defined in State regulation, and this work does not meet the elements or definition of a “Preliminary Assessment” and cannot be used or otherwise substituted for a Preliminary Assessment.

## **ASSESSMENT PROTOCOLS**

### ***Sampling Protocol***

During our cursory assessment, the hypothesis was made that the subject property had detectable concentrations of methamphetamine at a specified limit of detection and data would be collected to support the hypothesis. As such, the data quality objectives were not designed to quantify or characterize the *extent* or degree of contamination, but rather to support the statement:

Methamphetamine is present in the property above specified levels.

Our DQOs were such that we selected a total sampling area that would result in a reportable quantity limit of 0.5 µg/100cm<sup>2</sup>. The value of 0.5 µg/100cm<sup>2</sup> was selected since, according to the State of Colorado Regulations, the maximum permissible concentration of methamphetamine in a discreet sample as determined during compliance sampling is 0.5 µg/100cm<sup>2</sup>. FACTs instructed the laboratory to establish a reportable limit of 0.3 micrograms, resulting in a reportable concentration of 0.5 micrograms per 100 square centimeters. However, the laboratory erred and established a reportable limit of 0.05 µg resulting in a reportable concentration of 0.08 µg/100cm<sup>2</sup>. However, since the extant concentrations were significantly greater than the proposed reportable limit, the laboratory error had no effect on the results or decisions or regulatory impact.

Our testing produced results that supported the hypothesis:

Methamphetamine is present in the property above specified levels.

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<sup>6</sup> Titled: Colorado Department Of Public Health And Environment, State Board Of Health, *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*.



Our sampling indicates that if the samples were collected as part of a final clearance sampling protocol, the concentrations of methamphetamine would have been approximately 210 times the minimum permissible concentration of methamphetamine allowed as determined during compliance sampling.

Our data also demonstrate that there is no probability that the methamphetamine concentrations in the property are such that upon completion of the mandatory Preliminary Assessment, conditions at the property will permit the Industrial Hygienist to issue a Decision Statement directly from the mandatory Preliminary Assessment. That is, the concentrations are sufficiently elevated that upon completion of the Preliminary Assessment, remediation, to at least some extent, will be required to release the property and allow occupancy.

According to Colorado revised statutes,<sup>7</sup> if the property is sold prior to the release of a Decision Statement, the seller of a property shall disclose in writing to a buyer whether the seller knows that the property was previously used as an illegal drug laboratory. Until such time that an authorized Industrial Hygienist has issued a Decision Statement, a seller of the property must disclose that the property is an illegal drug laboratory.

Nothing in State statutes prohibit a buyer from purchasing the property knowing the property to be contaminated. If this is done, then according to CRS §38-35.7-103(2)(c) the buyer shall notify the Governing Body of the purchase in writing on the day of closing and shall complete the Preliminary Assessment and remediation process and obtain a Decision Statement within 90 days of closing.

## **Sample Collection**

Using standard industrial hygiene methods, we collected two 5-part composite sample from ten locations within the structure. The samples were submitted to Reservoirs Laboratory, Denver, CO. for quantitative analysis using gas chromatography coupled with mass spectrometry. A copy of the results is attached to this report.

## **Wipe Samples**

The wipe sample media was individually wrapped commercially available Johnson & Johnson™ brand gauze pads. Each gauze material was assigned a lot number for quality assurance and quality control (QA/QC) purposes and recorded on a log of results. Each pad was moistened with reagent grade methyl alcohol. Each batch of alcohol was assigned a lot number for QA/QC purposes and recorded on a log of results.

The sampling media were prepared off-site in small batches in a clean environment. The sample media were inserted into individually identified polyethylene centrifuge tubes with screw caps and assigned a unique sample identifier.

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<sup>7</sup> CRS 38-35.7-103(3)(a)



### ***Field Blanks***

Our data quality objectives did not include a field blank, and none were submitted. FACTs maintains a QA/QC log regarding sampling media. The history of the FACTs sampling media has consistently demonstrated a media and solvent contamination level below the analytical detection limit for the method. For this project, FACTs reagents blank information for methyl alcohol lot #A13Ø2 is less than the method detection limit for n=1 and gauze lot #G13Ø1 is less than the method detection limit for n=1.

### ***Field Spikes***

As part of our general QA/QC protocol, FACTs regularly submits surreptitious spikes to the analyzing laboratory. "Spiked" samples consist of randomly selecting samples that are submitted to a third party independent laboratory for the inclusion of known amounts of *d*-methamphetamine<sup>8</sup> into the selected samples. The spiked samples are then surreptitiously submitted with the normal project samples. To ensure the integrity of the spikes, laboratory personnel are unaware of the presence or nature of the spikes. The spikes allow FACTs to determine the adequacy of the laboratory in recovering known amounts of methamphetamine from the samples. In this case, we used the pooled spike recovery from all previous projects which indicates a spike recovery of 95.6% recovery (n=27,  $\sigma$  =0.19 µg).

### ***Field Duplicates***

For the purposes of the data quality objectives associated with this cursory evaluation, no duplicates were required, and none were collected.

## **Sample Results**

Since reporting of the concentrations frequently leads poorly trained Industrial Hygienists, and others to misunderstandings and misinterpretations, the concentrations will not be presented here. Contrary to common belief, the actual methamphetamine *concentrations* found in the samples taken at the subject property, are not required to be reported, are not germane to this discussion, cannot be used for any purpose, do not carry any meaningful or probative value, are not within our stated data quality objectives, and therefore, are not required to be reported here. Contrary to the beliefs of poorly trained consultants and regulators, the values reported on the attached laboratory report are NOT concentrations and cannot be used to compare the values against any regulatory limits or concentrations.

Table 1, below, presents the sample location information:

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<sup>8</sup> S(+)-methamphetamine, S,S(+)-pseudoephedrine, 1S,2R(+)-ephedrine



Sample ID	Sample Location	Sample Status
MM110713--01A	US SE Bedroom ceiling fan	Exceeded Reportable Limit
MM110713--01B	US Main bath top of light	
MM110713--01C	US NW Bedroom ceiling fan	
MM110713--01D	US Master ceiling fan	
MM110713--01E	US Masterbath toilet room window blinds	
MM110713--02A	Main level living room top of blinds	Exceeded Reportable Limit
MM110713--02B	Kitchen top of cabinets	
MM110713--02C	Main level bath top of light	
MM110713--02D	Crawlspace top of duct	
MM110713--02E	Furnace interior	

**Table 1  
Results of Methamphetamine Samples**

## CONCLUSIONS

Based on our objective sample results collected during our assessment, the subject property contains methamphetamine contamination greatly in excess of the regulatory thresholds.

Based on our objective sample results collected during our assessment, the subject property contains toxicologically significant methamphetamine contamination.

Based on our objective sample results collected during our assessment, it would be physically impossible to clear the property following a legitimate Preliminary Assessment.

Pursuant to State statutes, the illegal drug lab has been “otherwise discovered.”

Pursuant to statute, a Preliminary Assessment must be performed pursuant to regulation by an authorized Industrial Hygienist, and a “decision statement” obtained, or the property must be demolished.

Prepared by:



Caoimhín P. Connell  
Forensic Industrial Hygienist



# APPENDIX A

## LABORATORY REPORT





# ***Reservoirs Environmental, Inc***

## **Forensic Applications**

### **Final Report**

**RES 274830-1**

**November 13, 2013**

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Chain of Custody	5



November 13, 2013

Laboratory Code: RES  
Subcontract Number: NA  
Laboratory Report: RES 274830-1  
Project # / P.O. #: Monaco  
Project Description: None Given

Caoimhin Connell  
Forensic Applications  
185 Bounty Hunter Ln.  
Bailey CO 80421

Dear Customer,

Reservoirs Environmental, Inc. is an analytical laboratory accredited for the analysis of Environmental matrices by the National Environmental Laboratory Accreditation Program, Lab Certification #E871030. The laboratory is currently proficient in the in-house ERA PAT Program.

Reservoirs has analyzed the following sample(s) using Gas Chromatography Mass Spectrometry (GC/MS) / Gas Chromatography Flame Ionization Detector (GC/FID) per your request. The analysis has been completed in general accordance with the appropriate methodology as stated in the analysis table. Results have been sent to your office.

**RES 274830-1** is the job number assigned to this study. This report is considered highly confidential and the sole property of the customer. Reservoirs Environmental, Inc. will not discuss any part of this study with personnel other than those authorized by the client. The results described in this report only apply to the samples analyzed. This report shall not be reproduced except in full, without written approval from Reservoirs Environmental, Inc. Samples will be disposed of after sixty days unless longer storage is requested. If you should have any questions about this report, please feel free to call me at 303-964-1986.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jeanne Orr", is written over a horizontal line.

Jeanne Spencer Orr  
President

Analyst(s):   
Mike Schaumloeffel

# RESERVOIRS ENVIRONMENTAL, INC.

NVLAP Accredited Laboratory #101896  
AIHA Certificate of Accreditation #480 LAB ID 101533

## TABLE I. ANALYSIS: METHAMPHETAMINE BY WIPE

RES Job Number: **RES 274830-1**  
Client: **Forensic Applications**  
Client Project Number / P.O.: **Monaco**  
Client Project Description: **None Given**  
Date Samples Received: **November 7, 2013**  
Analysis Type: **Methamphetamine by GCMS**  
Turnaround: **5 Day**  
Date Samples Analyzed: **November 13, 2013**

Client ID Number	Lab ID Number	Reporting Limit (µg)	METHAMPHETAMINE CONCENTRATION (µg)
MM110713-01	EM 1064341	0.050	12.5
MM110713-02	EM 1064342	0.050	3.6

\* Unless otherwise noted all quality control samples performed within specifications established by the laboratory.

# RESERVOIRS ENVIRONMENTAL, INC.

NVLAP Accredited Laboratory #101896  
AIHA Certificate of Accreditation #480 LAB ID 101533

## QUALITY CONTROL: METHAMPHETAMINE BY WIPE

RES Job Number: **RES 274830-1**  
Client: **Forensic Applications**  
Client Project Number / P.O.: **Monaco**  
Client Project Description: **None Given**  
Date Samples Received: **November 7, 2013**  
Analysis Type: **Methamphetamine by GCMS**  
Turnaround: **5 Day**  
Date Samples Analyzed: **November 13, 2013**

Quality Control Batch	Reporting Limit ( $\mu\text{g}/100\text{cm}^2$ )	Matrix Blank ( $\mu\text{g}/100\text{cm}^2$ )	Matrix Duplicate (% RPD)	Matrix Spike (% Recovery)	Laboratory Control Sample (% Recovery)
1	0.05	BRL	7	95	98

\* Unless otherwise noted all quality control samples performed within specifications established by the laboratory.

\*\* These analytical results meet NELAC requirements.



# APPENDIX B CONSULTANT'S SOQ





**FORENSIC APPLICATIONS CONSULTING TECHNOLOGIES, INC.  
CONSULTANT STATEMENT OF QUALIFICATIONS**

(as required by State Board of Health Regulations 6 CCR 1014-3 Section 8.21)

FACTs project name:	General Distribution	Form # ML15
Date Nov 14, 2013		

Caoimhín P. Connell, has been involved in clandestine drug lab investigations since 2002 and meets the Colorado Revised Statute §24-30-1402 definition of an "Industrial Hygienist." He has been a practicing Industrial Hygienist since 1987 and was the contract Industrial Hygienist for the National Center for Atmospheric Research for over ten years. Mr. Connell is a recognized authority in drug-lab operations and is a Certified Instructor in Meth-Lab Safety through the Colorado Regional Community Policing Institute, CRCPI (through the Colorado Division of Criminal Justice) and was the lead instructor for the CRCPI providing over 260 hours of methlab training for over 45 Colorado Law Enforcement Agencies, federal agents, probation and parole officers throughout Colorado judicial districts. He has provided meth-lab lectures to the US Air Force, the National Safety Council, and the American Industrial Hygiene Association (of which he is a member and serves on the Clandestine Drug Lab Work Group and for whom he conducted the May, 2010, Clandestine Drug Lab Course, and is a coauthor of the AIHA methlab assessment publication.)

Mr. Connell is also a member of the American Conference of Governmental Industrial Hygienists, the Occupational Hygiene Society of Ireland, the Colorado Drug Investigators Association, an appointed Full Committee Member of the National Fire Protection Association, and the ASTM International Forensic Sciences Committee, (where he was the sole sponsor of the draft ASTM E50 *Standard for the Assessment of Suspected Clandestine Drug Laboratories*).

From 2009, Mr. Connell served as the Industrial Hygiene Subject Matter Expert on the Federally funded Interagency Board (Health, Medical, and Responder Safety SubGroup), and was elected full member of the IAB-HMRS in 2011 where he now serves. He is the only private consulting Industrial Hygienist in Colorado certified by the Office of National Drug Control Policy High Intensity Drug Trafficking Area Clandestine Drug Lab Safety Program, and P.O.S.T. certified by the Colorado Department of Law.

He has received over 144 hours of highly specialized law-enforcement sensitive training in illegal drug lab operation, and under supervision of the US Drug Enforcement Agency, he has manufactured methamphetamine using a variety of street methods. He has received highly specialized drug lab assessment training through the Iowa National Guard, Midwest Counterdrug Training Center and the Florida National Guard Multijurisdictional Counterdrug Task Force, St. Petersburg College as well as through the US NHTSA, and the U.S. Bureau of Justice Assistance (US Dept. of Justice). Additionally, he received extensive training in the Colorado Revised Statutes, including Title 18, Article 18 "Uniform Controlled Substances Act of 1992" and is currently ARIDE Certified.

Mr. Connell is a current sworn law enforcement officer who has conducted clandestine laboratory investigations and performed risk, contamination, hazard and exposure assessments from both the law enforcement (criminal) perspective, and from the civil perspective in residences, apartments, motor vehicles, and condominiums. Mr. Connell has conducted over 406 assessments of illegal drug labs in Colorado, Nebraska and Oklahoma, and collected over 3,745 samples during assessments (a detailed list of drug lab experience is available on the web at):

<http://forensic-applications.com/meth/DrugLabExperience2.pdf>

He has extensive experience performing assessments pursuant to the Colorado meth-lab regulation, 6 CCR 1014-3, (State Board of Health *Regulations Pertaining to the Cleanup of Methamphetamine Laboratories*) and was an original team member on two of the legislative working-groups which wrote the regulations for the State of Colorado. Mr. Connell was the primary contributing author of Appendix A (*Sampling Methods And Procedures*) and Attachment to Appendix A (*Sampling Methods and Procedures Sampling Theory*) of the Colorado regulations and a US NIOSH Recommended Peer Review Expert for the NIOSH 9109 Method, *Methamphetamine*. He has been admitted as a clandestine drug lab expert in Colorado, and an Industrial Hygiene Expert in Colorado in both civil and criminal courts as well as Federal Court in Pennsylvania. He has provided expert testimony in several criminal cases including Grand Jury testimony and testimony for US Bureau ATF and he testified before the Colorado Board of Health and Colorado Legislature Judicial Committee regarding methlab issues. Mr. Connell has provided services to private consumers, Indian Nations, State Investigators, and Federal Investigators with forensic services and arguments against corrupt regulators, fraudulent industrial hygienists, and unauthorized consultants performing invalid methlab assessments.

**185 BOUNTY HUNTER'S LANE, BAILEY, COLORADO 80421**  
**PHONE: 303-903-7494** [www.forensic-applications.com](http://www.forensic-applications.com)

# APPENDIX C

## REGULATORY DECISION FLOW CHART



